

On Aug. 5, 20, Sept. 21 and Oct. 29, 1914.

On Nov. 4, 1914, the code of the British Admiralty forbidding the whole North Sea a war zone, in which commercial shipping would be exposed to the most serious danger from mines and men-of-war. Protests from neutrals were of no avail, and from that time on the freedom of neutral commerce with Germany was practically destroyed.

"Under these circumstances, Germany was compelled to resort, in February, 1915, to reprisals in order to meet her opponent's measures, which were absolutely contrary to international law. She chose for this purpose a new weapon, the use of which had not yet been regulated by international law, and, in doing so, could and did not violate any existing rules, but only took into account the peculiarity of this new weapon, the submarine boat."

"The use of the submarine naturally necessitated a restriction of the free movement of neutrals and constituted a danger for them which Germany wanted to ward off by a special warning analogous to the warning England had given regarding the North Sea."

#### ATTEMPTS TO RE-ESTABLISH LAW.

"As both belligerents—Germany in her note of Feb. 17 and Great Britain in those of Feb. 18 and 20, 1915—claimed that their proceeding was only enacted in retaliation for the violation of international law by their opponent, the American Government approached both parties for the purpose of trying to re-establish international law as it had been in force before the war."

"Germany is asked to adapt the use of her new weapon to the rules which had been existing for the former naval weapons, and England not to interfere with the food supplies intended for the non-combatant German population and to admit their distribution under American supervision. Germany, on March 1, 1915, declared her willingness to comply with the proposal of the American Government, while England on the other hand, declined to do so."

"By the Order in Council March 11, 1915, Great Britain abolished even what had remained of the freedom of neutral trade with Germany and her neutral neighbors. England's object was to starve Germany into submission by these illegal means."

#### GERMANY COMPLIED WITH WISHES OF U. S. GOVERNMENT.

"Germany, after neutral citizens had lost their lives, against the wish and intentions, nevertheless in the further course of the war complied with the wishes of the American Government regarding the use of her submarines. The rights of neutrals regarding legal trading were in fact nowhere limited by Germany."

"Then England made it impossible for submarines to conform with the old rules of international law by arming nearly all merchantmen, and by ordering the use of guns on merchant vessels for attack. Photographic reproductions of these instructions have been transmitted to neutral governments with the memorandum of the German Government of Feb. 8, 1916."

"These orders are obviously in contradiction with the note delivered by the British Ambassador in Washington to the American Government on Oct. 25, 1914. On account of the proposal made by the United States on Jan. 23, 1916, regarding disarmament, the Imperial Government hoped that these facts would enable the neutrals"

governments to obtain the disarmament of the merchant ships of her opponents. The latter, however, continued with great energy to arm their merchantmen with guns."

#### SAYS BRITAIN MADE USE OF AMERICAN STAND.

"The principle of the United States Government not to keep their citizens off belligerent merchant ships has been used by Great Britain and her allies to arm merchant ships for offensive purposes. Under these circumstances, merchantmen can easily destroy submarines, and if their attack fails still consider themselves in safety by the presence of American citizens on board."

"The order to use arms on British merchantmen was supplemented by instructions to the masters of such ships to host take down and to run U-boats. Reports on payment of premiums and bestowals of decorations to successful masters of merchantmen show the effect of these orders. England's allies have adopted this position."

"Now Germany is facing the following facts:

"(a) A blockade contrary to international law (compare American note to England of Nov. 3, 1914) has for one year been keeping neutral trade from Germany and is making German exports impossible.

"(b) For eighteen months, through the extending of the blockade, the American note to England of Nov. 3, 1914, the overseas trade of neighboring neutral countries as far as Germany is concerned, has been hampered."

#### "MIGHT BEFORE RIGHT," ENGLAND'S PRINCIPLE.

"(c) England, by systematically and increasingly oppressing neutrals, following the principle of 'might before right,' has prevented neutral trade on land with Germany so as to complete the blockade of the Central Powers and intended to starve their civil population."

"(d) Germans met by our enemies on the high seas are deprived of their liberty, no matter whether they are combatant or non-combatants."

"(e) Our enemies have armed their merchant vessels for offensive purposes, theoretically making it impossible to use our U-boats, according to the principles set forth in the London Declaration (compare American memorandum of Feb. 8, 1916)."

"The English White Book of Jan. 5, 1916, on the restriction of German trade boasts that by British measures Germany's export trading has been stopped almost entirely whilst her imports are subject to England's will."

"The Imperial Government feels confident of the probability of the United States, remembering the friendly relations that for the last hundred years have existed between the two nations, will in spite of the difficulties put into the way by our enemies appreciate the German viewpoint as laid down above."

#### STRAUS WILL QUIT UNLESS WHITNEY REMAINS AS AIDE

(Continued from First Page)

suggestion that the Senate Finance Committee might request that he withdraw the names of Messrs. Whitney and Hervey, the Governor said:

"When I considered these men for appointment I went thoroughly into their records. I came to the conclusion that they were peculiarly well fitted to serve as members of the Public Service Commission."

Nothing that has been brought out so far has led me to alter my opinion in the slightest degree."

When told that Oscar S. Straus had declared he would resign as Chairman of the Commission if Whitney were not confirmed, Whitney answered:

"I certainly hope that nothing will happen which will prevent Mr. Straus from remaining in the public service. The most intelligent, experienced and responsible persons in New York—men on whose judgment in these matters I know I can rely—were unanimous in support of Whitney and I believe as firmly as ever that he is the man for the post."

"This merely confirms my expressed opinion that Whitney has Straus hypnotized," was the only comment made by Senator George F. Thompson to-day when informed that Mr. Straus had said he would resign from the post of the services of Thavis H. Whitney, Leroy H. Harkness and D. L. Turner.

"What has the present admiralty done wrong? What is the matter with Sir Henry Jackson? What is his fault? I will tell you what his fault is. He does not advertise. He does not have correspondents and newspaper people in his office all day."

"During the first few months of the war, whenever we had a success, and if the enemy had a slight failure, the whole of the navy was pained by vulgar boasting. Whenever there is loud boasting and official condemnation of our enemy, who, in spite of some of our brutalities, are a gallant enemy, a quiver of shame runs through the navy. When the navy reads the speech of the First Lord they will say that at last we have a ruler who does not grate upon our nerves."

"The return of Col. Winston Churchill, former First Lord of the Admiralty, who said Lord Fisher should be brought back to head the Admiralty administration."

It is understood Lord Fisher was invited to join the war council temporarily, to give his advice on important matters in regard to which his experience would be useful. It is the intention to Lord Fisher to return to the Admiralty as a permanent member.

The return of Col. Winston Churchill, former First Lord of the Admiralty, from the front in order to criticize the management of the navy under his successor, A. J. Balfour, has been the political sensation of the year.

The most striking speech in the debate was made by Admiral Sir Henry Jackson, who is considered the spokesman for the navy in the House. After declaring that there would be no change in the management of the navy if the Government was fool enough to bring Lord Fisher back, Admiral Meux said:

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Germans Release American Prisoner. ROTTERDAM, March 8.—(Via London).—One American citizen and seven British subjects from Ruhlleben, the German detention camp for civilians of enemy countries, located near Berlin, have arrived here on their way to England. The American is Eugene Smith of Springfield, Mass., who has been a prisoner in Germany for six months.

CHICAGO WHEAT AND CORN MARKETS.

WHEAT. Chicago, March 8. (Via London).—Wheat futures closed 1/2¢ higher at 1.05 1/2¢. Corn futures closed 1/4¢ higher at 48 1/4¢.

STEAMSHIPS DUE TO-DAY.

Ioannina, Gibraltar, 11 A. M. Exeter City, Bristol, 11 A. M.

## BALFOUR SCORES CHURCHILL FOR HIS LORD FISHER TALK

Lord of Admiralty Says Speech Arouses Misgivings About the Fleet.

### DENIES ANY BREACH.

Meux in Commons Says Return of Fisher Would Bring Consternation.

LONDON, March 8.—Speaking in the House of Commons to-day on the navy estimates, A. J. Balfour, First Lord of the Admiralty, said that the speech made yesterday by Col. Winston Spencer Churchill, his predecessor in office, was unfortunate in form and substance. It was calculated, he said, to arouse doubts and misgivings about the fleet and the energy of the present Admiralty Board in dealing with national necessities.

Mr. Balfour denied there had been any breach of continuity between the present board and its predecessor. Regarding the shortage of labor, he said the Government was doing all that was possible to alleviate it, if not completely to remedy it.

Balfour eulogized Sir Henry Jackson, First Sea Lord of the Admiralty, who Churchill said should be supplanted by Sir John Fisher.

"I would be contemptible beyond expression if I yielded an inch to such a demand," he declared. "Personally, had I received such a recommendation as did Lord Fisher, I should have considered it an insult."

Churchill, Balfour said, suggested doubts and fears about the condition of the navy, whereas as a matter of fact the navy is continually growing in strength.

Churchill made a five-minute reply, repeating the statement he made yesterday, and again urging the desirability of attaching Lord Fisher's "great powers" to the Admiralty.

Mr. Balfour said he was not pessimistic about the strength of the fleet. It was more powerful than when Mr. Churchill left office, and was being increased in strength constantly.

Some monitors had been constructed so hastily, said Mr. Balfour, that even now it has been found impossible to use them, it being necessary to remodel them. Mr. Balfour urged his hearers to dismiss any fears. He said every kind of ship regarded as of value in a modern war had been increased largely since the war began.

Sir John Fisher attended this afternoon's session of the War Council at the invitation of the other members.

The invitation to Lord Fisher to attend the Council was extended more than a week ago, and had nothing to do with the speech in the House of Commons yesterday of Col. Winston Spencer Churchill, former First Lord of the Admiralty, who said Lord Fisher should be brought back to head the Admiralty administration.

It is understood Lord Fisher was invited to join the war council temporarily, to give his advice on important matters in regard to which his experience would be useful. It is the intention to Lord Fisher to return to the Admiralty as a permanent member.

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"What has the present admiralty done wrong? What is the matter with Sir Henry Jackson? What is his fault? I will tell you what his fault is. He does not advertise. He does not have correspondents and newspaper people in his office all day."

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## Frank Oakley, Famed as Clown, as He Was and in "Slivers" Makeup



## 'SLIVERS' IS DEAD; FAMOUS CLOWN ENDS LIFE BY GAS

Frank Oakley, Who Made Millions Laugh, Winds Up Career by Suicide.

Frank Oakley, who as "Slivers," the clown, had made millions laugh, was found dead from gas asphyxiation early to-day in his room at a theatrical boarding house at No. 308 West Seventy-first Street. No friend appeared to take charge of the body, and it was sent to the Morgue.

Oakley had been drinking heavily for four days, the police were told. No one saw him yesterday, and a maid could not get into his room. Mrs. Hattie Everett, the proprietress, became alarmed at midnight and asked the advice of two actor boarders when they came in. They rattled the doors until something with which the cracks had been stuffed was dislodged, and gas fumes began to pour into the hall.

The police were notified and Policeman Lyon finally got in, despite the barricade of chairs Oakley had placed against the door in addition to locking it. The windows and doors had been caulked with towels. Oakley was on the floor in his pajamas. Several gas jets were open, and there were several empty whiskey bottles in the room. No letter of explanation was found. Dr. Wolinsky, from Polytechnic Hospital, said the former clown had been dead about four hours.

Oakley was forty-five years old and became famous many years ago with the Barnum & Bailey circus. His nickname, "Slivers," was given him because of his slenderness and height, and he was such a valuable attraction there was a lawsuit over his services when he tried to go to the Hippodrome in its earlier days.

He was born in Sweden, but his parents brought him to this country when he was a few months old. His mother was a concert singer of ability. Oakley lived in Chicago, when at fourteen he ran away to join a circus. It was his ambition to be a clown, but it was some years before he really became a performer with Andrew McDonald's circus. His parents finally persuaded him to go to Ann Arbor, but the call of the sawdust and grease paint was too strong, and after two years in college he returned to the circus, eventually to rise from a \$6-a-week "sawp" to be the highest paid clown in his line.

Oakley was married here in April, 1902, between morning and evening performances of the Barnum & Bailey Show, to Miss Nellie Dunbar, a vaudeville singer. Those who attended the show that night will never forget the peals of laughter caused by the grotesque bridegroom's convulsing love-making on the lampark to his wife, who sat in a contrived box. The girl herself had hysterics and had to be supported out. Mrs. Oakley died in 1913. Their daughter, Ruth Verona, is a ward of Miss Robinson of the old circus family, at Hempstead, L. I. The little girl attends the Garden City school and is very popular.

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## WALL STREET.

Narrow professional trading made an extremely dull and uninteresting market during first hour. Prices moved up and down but, with a general sagging tendency. War industrial rallies slightly without holding their gains. Reading was strong in second hour, selling at 8 1/2¢, up 2 points. Alaska Gold recovered from 17 1/2¢ to 20 1/2¢, and general list of stocks showed declines. American Sugar lost 2 1/2¢ points on report for 1915.

Prices rallied in last hour on active trading. Battle & Superior sold at 10 1/2¢, up 5 1/2¢ points. U. S. Steel at 11 1/2¢, up 1/2¢ point. General market showed advances for the day.

Closing Quotations.

Alaska Gold, 20 1/2¢. U. S. Steel, 11 1/2¢. American Sugar, 24 1/2¢. Battle & Superior, 10 1/2¢. Reading, 8 1/2¢. General market, 10 1/2¢.

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McCue said he had seen Willard recently and that the champion was in no physical condition to fight.

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## RICKARD AGREES TO POST ALL MONEY FOR BIG FIGHT

Boxing Commission Holds Conference With Willard-Moran Promoter.

Tex Rickard and Harold Edwards, President of the Show Corporation, which controls Madison Square Garden, were before the Boxing Commission to-day explaining to that learned body their financial responsibilities in connection with the coming Willard and Moran bout. The commission feels that it must see that everything concerning the bout is on the up and up, that the public will be protected and that the fighters shall deliver the real article in the way of a scrap. The commission also wanted to see the contracts between promoters and principals and learn all about reported bonuses and other agreements.

Words and words filled the air for nearly two hours. Chairman Wenck delivered an oration on what should and should not be done in the promotion of the contest. Deputy Attorney Olmeyer lengthily discussed legal complications which might arise and nobody seemed to get anywhere. Meanwhile Rickard and Mr. Edwards, with the patience of a couple of Jobs, harped on the possibility of the public being brought finally around Rickard to a simple statement like this:

"I'll execute a bond for a sum covering all possible receipts of the bout right now and deposit it any place the Commission wishes."

This seemed to take the wind out of the sails of the talkative gathering and finally after a parley, a resolution was introduced, in which all hands agreed to select by next Monday a stakeholder or surety to hold the money of the backers, guaranteeing to the fighters, forfeits and bonuses until the Commission had passed on the bout.

There never was a time since the match was first arranged that Rickard hasn't been willing to do just this. A new angle dealing with what the boxers are to get, was had when Rickard announced that Moran was to get \$23,750, instead of the flat guarantee of \$20,000. Tex explained this by saying he had promised to give Moran just half of what Willard was to be paid. Willard's end is \$47,500. The champion's purse includes a \$7,500 bonus for signing the articles originally. \$2,500 of this has already been advanced to Willard for training expenses.

Being assured that the public would be amply protected, the Commission then sought to do something to protect the promoters. Rickard evidently doesn't rely on any protection, either, is willing to take his chances along with the show corporation.

"I don't expect to have any trouble with either Willard or Moran," said Rickard. "They shall get their money, and I want them to get it without any such thing as attachments. Fitzsimmons is satisfied with the money," continued Rickard. "I don't want to get in bad with them."

Mr. Edwards of the Show Corporation, assured the Commission that the public has nothing to fear, that it would be protected in any extreme and that not a dollar of money received for the bout would be touched until everything is satisfactory. If anything goes wrong with the bout, the Show Corporation and Rickard will be in a position to return every dollar to the public.

Before the commission began its meeting Chairman Wenck announced that Claude Tibbitts of Albany had been engaged to referee the preliminaries on the night of March 25.

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